

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HENRY JAMES,

Case No. C21-303RSM

Plaintiff,

ORDER GRANTING MOTION FOR
SERVICE BY UNITED STATES
MARSHAL

SERGEANT F. THOMAS, et al.,

Defendants.

This matter comes before the Court on Plaintiff's Motion for Service of Summons by United States Marshal Service. Dkt. #9. Plaintiff James is proceeding in this matter *in forma pauperis* and therefore seeks assistance with service of the Summons and Complaint on Defendants. No Defendant has appeared in this matter.

Federal Rule of Civil Procedure 4(c)(3) provides:

At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915 or as a seaman under 28 U.S.C. § 1916.

The Rule allows the Court to order service by the Marshal when requested, and mandates it for in forma pauperis prisoner plaintiffs proceeding under 28 U.S.C. § 1915. Although Plaintiff was granted leave to proceed in forma pauperis in this Court, he is not a

1 prisoner. However, the Court recognizes that Plaintiff has limited means and the Court should
2 assist in the service of this matter. Plaintiff has provided sufficient information to effect service
3 of the Summons and Complaint.

4 Having reviewed Plaintiff's motion, and for the reasons stated above, the Court hereby
5 finds and ORDERS:

6 1. Plaintiff's Motion for Service by U.S. Marshal (Dkt. #9) is GRANTED.

7 2. The United States Marshal shall send the following to each named Defendant by
8 first class mail: a copy of the Complaint (Dkt. #7) and of this Order, a copy of the appropriate
9 Summons, two copies of the Notice of Lawsuit and Request for Waiver of Service of
10 Summons, a Waiver of Service of Summons, and a return envelope, postage prepaid, addressed
11 to the Clerk's Office for each Defendant. All costs of service shall be advanced by the United
12 States. The Clerk SHALL assemble the necessary documents to effect service.

13 3. The Clerk shall mail a copy of this Order to Plaintiff via U.S. Mail.

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15 DATED this 25th day of March, 2021.

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RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE